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SUBJECT: Civil society holding Ortega's feet to the fire on
anticorruption commitments

REF: (a) SECSTATE 15428, (b) MANAGUA 0544, (c) MANAGUA 02410 2006), (d) MANAGUA 02426 (2006), (e) MANAGUA 01442 (2006), (f) MANAGUA 1795 (2006)

[1](#)1. BEGIN SUMMARY: Using international anti-corruption conventions, Nicaraguan civil society has organized to make sure the Government of Nicar

[1](#)2. BACKGROUND: In the new political context, it is imperative that the GON be held to internationally-accepted standards for governance, and this is best done by Nicaraguan civil society and democratic political parties. The Government of Nicaragua's (GON) Office of Public Ethics (OEP) has been designated as one of the central governmental authorities to assure compliance with Nicaragua's commitments under various anti-corruption treaties, including the inter-American Convention against Corruption. Building capacity in civil society to monitor compliance has the added benefit, we have discovered, that the same ability to monitor one convention is readily transferred to other international anticorruption commitments. In this sense, the program reflects best practices.

[1](#)3. PREVIOUS EFFORTS: Mainly through its USAID programs, the Embassy has been directly engaged with promoting civil society's watchdog role, ar

- Seeking to reform the criminal code for consistency with the UN Convention Against Corruption, Inter-American Convention Against Corruption (IACAC) and the UN Convention Against Transnational Organized Crime (UNTOC), refel (b),
- Promoting civil society and institutional reform to address judicial corruption, refel (c).
- Developing strategies to attack kleptocracy, refel (d),
- Reforming legal education so that future lawyers can better attack corruption, refel (e)
- Reforming political party campaign finance to expose influences that can corrupt politics, refel (f),
- Promoting public outrage at impunity, refel (g)
- Upgrading capacity to investigate crime, refel (h),
- Teaching journalists how to cover corruption cases, refel (i)
- Offering alternatives to a corrupt legal system through more transparent mediation and arbitration, refel (j).
- Improving checks and balances in the legal system through support to institutionalize a public defender service, refel (k)
- Exposing environmental corruption, refel (l)
- Encouraging follow up to transboundary crime, refel (o).

[1](#)4. NEW CIVIL SOCIETY EFFORTS: In December 2006, Nicaraguan civil society was one of three groups to present an independent assessment on compl

4.1 FOLLOW UP: This month, USAID will sign up to six new sub-grants for civil society work to follow up the Conventions, each sub-grant for rou

4.2 CONCRETE ACTIVITIES: Local civil society groups, now merged into a Follow-up Coalition, plan to review compliance at regular intervals, wit

[1](#)5. MODEL PRACTICE: We understand Nicaragua is the only country in the hemisphere currently investing in developing an integrated civil society capacity to monitor implementation of the Conventions and hold government accountable. Further, Nicaragua will be the only country in the region with a civil society website exclusively dedicated to monitor compliance and governmental performance. It is worth noting that USAID also provides assistance to the OEP to help it to consult with citizens, prepare its assessment of compliance, and disseminate the results. One product of this has been a unique public-private alliance to monitor compliance.

[1](#)6. ANALYSIS: We are under no illusion that civil society can eliminate Nicaraguan corruption. But the increased transparency is giving pause to those in the current administration that would seek to back away from international commitments, and increasing the political cost of engaging in unjust enrichment and not promoting transparency. Further, by stressing civil society, the demand for compliance is coming from the Nicaraguan citizens themselves, not outside actors. With Nicaraguans themselves making the case, there is less need for on our public diplomacy. In the end, we shouldn't want it more than they do - this is the GON's chance to demonstrate to its own citizens that it is serious about its international commitments against corruption. If the GON does not take those commitments seriously, the new transparency will tee up the issue in advance of the 2008 municipal elections. This approach may be of interest to other countries facing difficult governance situations. It also underscores how development assistance can integrate effectively with public diplomacy and law enforcement interests.

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